IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

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WRIT PETITION NO : 28356 of 1995

Between:

1 Anyam Raju S/o Anyam Sathi Raju
R/o Choppella Village Alamur Mandal
East Godavari District.
2 Nainala Subbayamma W/o Venkanna
R/o Choppella Village Alamur Mandal
East Godavari District
3 Nainala Subbarao S/o Venkanna
R/o Choppella Village Alamur Mandal
East Godavari District
4 Nainala Veeraswamy S/o Venkanna
R/o Choppella Village Alamur Mandal
East Godavari District
5 Nainala Sriramachandramurthy S/o Venkanna
R/o Choppella Village Alamur Mandal
East Godavari District
6 Nainala Polarao S/o Venkanna
R/o Choppella Village Alamur Mandal
East Godavari District

..... PETITIONERS

AND

1 Government of Andhra Pradesh
rep. by its Principal Secretary to Government, Social Welfare Department
Secretariat Hyderabad
2 Government of Andhra Pradesh
rep. by its Principal Secretary to Government, Revenue Department
Secretariat Hyderabad
3 The Commissioner of Endowments
Tilak Road Hyderabad

4 The District Collector
Kakinada East Godavari District
5 The Mandal Revenue Officer
Alamuru Mandal East Godavari Dist.,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of a mandamus declaring the action of the respondents herein in initiating the proceedings to acquire ac.4-31 cents of land in r.s.no.39/2 of Chopella village owned by Sri MadnnaGopala Swami Vari Devasthanam in Chopella village in East Godavari District which is in possession and enjoyment of the 1st petitioner and also Ac.3-78 cents of land in R.S.NO.42/1 of Chopella village, belonging to Malleswaraswami Vari Temple which is in the occupation and enjoyment of the petitioners 2 to 6 herein, is illegal, arbitrary, unconstitutional and violative of the mandatory procedure prescribed under the Land Acquisition Act, 1894 and also declare that the acquisition proceedings initiated for acquiring the above lands, which are in possession and enjoyment of the petitioners herein are violative of the guidelines incorporated inG.O.MS.NO.456,DT:29-9-1995 and further direct the respondents herein to drop the acquisition proceedings in respect of the said endowment lands and also issue a consequential direction to the respondents not to interfere with the peaceful possession and enjoyment of the said lands by the petitioners.

Counsel for the Petitioners:MR.V.VENKAT REDDY

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following :

HONOURABLE SMT.JUSTICE T.MEENA KUMARI

WRIT PETITION No.28356 of 1995

ORDER:

When the matter is taken up for hearing, the learned Government Pleader appearing for the Land Acquisition Department has submitted that he has received a fax message from the Mandal Revenue Officer, Alamuru, wherein it is stated the land covered by this writ petition was not acquired earlier and is not required at present.

In view of the above facts and circumstances, the writ petition is closed.

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Justice T.Meena Kumari

Date: 17th March, 2004

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Copy to:

1 The Principal Secretary to Government

Social Welfare Department, Secretariat, Government of Andhra Pradesh, Hyderabad.

2 The Principal Secretary to Government, Revenue Department
Secretariat, Government of Andhra Pradesh, Hyderabad

3 The Commissioner of Endowments,
Tilak Road Hyderabad

4 The District Collector
Kakinada East Godavari District

5 The Mandal Revenue Officer
Alamuru Mandal East Godavari Dist.,

6. Two C.Cs. to the Government Pleader for Land Acquisition, High Court Buildings, High Court of A.P., Hyderabad (O.U.T.)

7. Two C.D. copies.